

DANIEL G. BOGDEN
United States Attorney

DENIS J. MCINERNEY
Chief, Fraud Section, Criminal Division
U.S. Department of Justice

BRIAN R. YOUNG
THOMAS B.W. HALL
Trial Attorney, Fraud Section, Criminal Division
1400 New York Avenue, NW
Washington, DC, 20005
202-616-3114

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:11-cr-00267-MMD-CWH
)	
Plaintiff,)	
)	MOTION FOR DISMISSAL OF
vs.)	INDICTMENT AS TO DEFENDANT
)	KELLY NUNES
KELLY NUNES and HEIDI HAISCHER,)	
)	
Defendants.)	

Pursuant to Fed. R. Crim. P. 48, the United States moves to dismiss defendant Kelly Nunes from this indictment without prejudice. The indictment in the instant case alleges that Mr. Nunes perpetrated a mortgage fraud scheme involving two pieces of real property located on Elche Court and Kantele Circle, in Las Vegas, Nevada. The United States seeks to dismiss Mr. Nunes from the indictment because a sentence imposed on Mr. Nunes in *United States v. Sutherland*, 10-cr-356-LDG-VCF included as related conduct the losses sustained in connection with the Elche Court and Kantele Circle transactions. The United States does not seek Heidi Haischer's dismissal from the indictment and intends to proceed with the prosecution of Ms. Haischer.

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Respectfully submitted,

DANIEL G. BOGDEN
United States Attorney

/s Brian R. Young
BRIAN R. YOUNG
Trial Attorney
U.S. Department of Justice

7/24/12
DATE

ORDER

IT IS SO ORDERED this 24th day of July 2012.



UNITED STATES DISTRICT JUDGE

DANIEL G. BOGDEN
United States Attorney

DENIS J. MCINERNEY
Chief, Fraud Section, Criminal Division
U.S. Department of Justice

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:11-cr-00267-MMD-CWH
)	
Plaintiff,)	
)	CERTIFICATE OF SERVICE
vs.)	
)	
KELLY NUNES and HEIDI HAISCHER,)	
)	
Defendants.)	

This is to certify that on July 24, 2012 all counsel of record registered on the ECF system received service of this document through ECF notification.

/s Brian R. Young
BRIAN R. YOUNG
Trial Attorney
U.S. Department of Justice